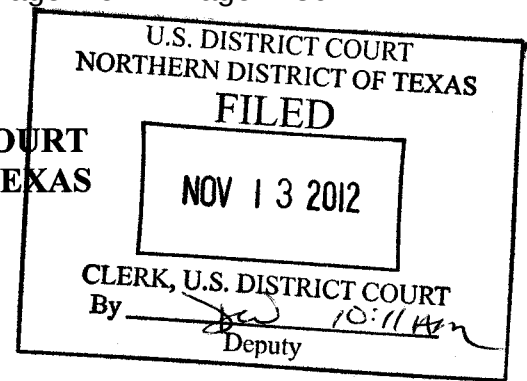


ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION



MAYFORD K. DAVIS, JR., )

Plaintiff, )

v. )

JOHN SCHWAB, NCO FINANCIAL )  
SYSTEMS, INC., and INOVISION- )  
MEDCLR PORTFOLIO GROUP, )  
LLC )

Defendants. )

Cause No. 4:12-cv-00740-A

**DEFENDANTS, JOHN SCHWAB, NCO FINANCIAL SYSTEMS, INC. AND  
INOVISION-MEDCLR PORTFOLIO GROUP, LLC'S,  
MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

PLEASE TAKE NOTICE counsel for Defendants, John Schwab ("Schwab"), NCO Financial Systems, Inc. ("NCO") and Inovision-Medclr Portfolio Group, LLC ("Inovision"), moves for entry of an Order dismissing Plaintiff, Mayford Davis, Jr.'s ("Plaintiff"), Complaint and states the following:

1. On October 18, 2012, Plaintiff filed this instant action founded upon alleged violations of the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692, *et seq.* and the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681, *et seq.*

2. Plaintiff's Complaint fails to allege any facts to support his claims for relief.

3. In addition, Plaintiff fails to meet the minimum pleading standards set forth in Fed. R. Civ. P. 8(a) and give the Defendants proper notice of the claims against them.

4. Further, Plaintiff failed to allege any facts to support this Court's exercise of personal jurisdiction over Schwab and Plaintiff failed to properly serve Schwab.

5. As a result, Defendant Schwab contends Plaintiff's claims against him should be dismissed for lack of personal jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2) and insufficient service of process pursuant to Fed. R. Civ. P. 12(b)(5). Also, Defendants Schwab, NCO and Inovision contend Plaintiff fails to meet the minimum pleading requirements set forth in Fed. R. Civ. P. 8(a) and Plaintiff fails to allege any facts in support of his claims; therefore, Plaintiff's claims should be dismissed for failure to state a claim upon which relief can be granted, pursuant to Fed. R. Civ. P. 8(a) and 12(b)(6).

Dated: November 12, 2012.

Respectfully Submitted,



Whitney L. White  
State Bar No. 24075269

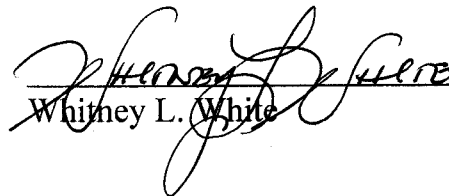
**Sessions, Fishman, Nathan, & Israel, LLC**  
900 Jackson Street, Suite 440  
Dallas, Texas 75202  
Telephone: (214) 741-3001  
Facsimile: (214) 741-3055  
Email: [wwhite@sessions-law.biz](mailto:wwhite@sessions-law.biz)

**Attorney for Defendants**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of November, 2012, a copy of the foregoing **Defendants, NCO Financial Systems, Inc. and Inovision-Medclr Portfolio Group, LLC's, Motion to Dismiss Plaintiff's Complaint** was filed with the Clerk of the Court, United States District Court for the Northern District of Texas, and served via certified mail, return receipt requested to Plaintiff at the below address:

Mayford K. Davis, Jr.  
216 Camelot Drive  
Weatherford, Texas 76086

  
Whitney L. White

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**MAYFORD K. DAVIS, JR.,**

**Plaintiff,**

**v.**

**JOHN SCHWAB, NCO FINANCIAL  
SYSTEMS, INC., and INOVISION-  
MEDCLR PORTFOLIO GROUP,  
LLC**

**Defendants.**

**Cause No. 4:12-cv-00740-A**

**[PROPOSED] ORDER GRANTING DEFENDANTS'  
MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

The Court, having heard Defendants, John Schwab, NCO Financial Systems, Inc. and Inovision-Medclr Portfolio Group, LLC's (collectively "Defendants"), Motion to Dismiss Plaintiff's Complaint, finds the Motion is well taken and should be granted in its entirety.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendants' Motion to Dismiss is GRANTED; and all claims against Defendants in this matter are DISMISSED with PREJUDICE.

IT IS SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
JUDGE PRESIDING